

EXHIBIT 19

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

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4 **BLACK LOVE RESISTS IN THE RUST, et al.,**

5 **individually and on behalf of a class of**
6 **all others similarly situated,**

7 Plaintiffs,

8 vs.

1 :18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.,**

10 Defendants.

11 - - - - -
12 **ORAL EXAMINATION OF ROBBIN THOMAS**

13 **APPEARING REMOTELY FROM**

14 **BUFFALO, NEW YORK**

15
16 Thursday, March 23, 2023

17 10:07 a.m. - 5:26 p.m.

18 pursuant to notice

19
20
21 REPORTED BY:

22 Luanne K. Howe

23 APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

DEPAOLO CROSBY REPORTING SERVICES, INC.
716-853-5544

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13 APPEARING FOR THE DEFENDANTS:

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1 A There was no requirement.

2 Q Okay. So the only minimum number was the minimum
3 number of patrol vehicles you needed to run a
4 checkpoint?

5 A Well, no. When I said we wouldn't run it with two
6 patrol vehicles, what I'm saying is that that's only
7 four. It could be three officers so -- because with
8 the Strike Force being a two-man operation or a
9 two-man patrol unit, one patrol vehicle would -- you
10 would expect two officers per marked unit.

11 Q Okay. So in your experience, checkpoints would
12 generally have at least four officers at them at a
13 time?

14 A I would just say not less than.

15 Q Okay. Not less than four officers. And did you ever
16 run a checkpoint with or did you ever participate in
17 a checkpoint with less than two patrol vehicles?

18 A Not that I can recall.

19 Q Did you ever participate in a checkpoint with less
20 than four officers?

21 A Not that I can recall.

22 Q Okay. So how long would a checkpoint be set up for
23 each shift?

1 MR. SAHASRABUDHE: Form.

2 A I think it could be about 45 minutes if I remember
3 correctly.

4 Q Okay. And how long was a Strike Force shift total?

5 A Ten hours I stated previously.

6 Q Do checkpoints ever last more than 45 minutes?

7 A We could be on location for longer than 45 minutes,
8 but the checkpoint would not still be being conducted
9 for more than 45 minutes.

10 Q Okay. So at the end of 45 minutes, would you still
11 be processing motorists who had been stopped by the
12 checkpoint?

13 A We could be.

14 Q Okay. So how long might it take you total if you
15 include the time to process all the motorists who had
16 been stopped by the checkpoint?

17 A I couldn't say because sometimes we were also waiting
18 on -- you know, it could depend on a variety of
19 things, waiting on a tow truck on occasion or waiting
20 on someone to come and assist a motorist that was no
21 longer able to drive.

22 Like I said, there would be different variables
23 but a variety of things that could keep us on

1 a response until the following day when we came in
2 for our next tour.

3 Q Did the supervisor ever express to you it was an
4 issue that you had trouble writing a summons because
5 of some equipment problem?

6 A No.

7 Q I'd like to talk a little bit more about overtime,
8 which we touched on before. Did a supervisor while
9 on Strike Force ever tell you that overtime shifts
10 were being scheduled in order to generate revenue for
11 the BPD?

12 A No.

13 Q Did you ever hear that while you were on the Strike
14 Force?

15 A No.

16 Q And did a supervisor ever tell you that overtime
17 shifts were scheduled in order to increase the number
18 of tickets being issued by Strike Force?

19 A No.

20 Q And did you ever hear that while you were on the
21 Strike Force?

22 A That overtime was being --

23 Q Did you ever hear that overtime shifts were being

1 scheduled in order to increase the number of tickets
2 that were issued by Strike Force?

3 A No.

4 Q And did a supervising officer ever tell you that more
5 overtime shifts would be available if Strike Force
6 officers issued a higher number of summonses?

7 A Never.

8 Q And did a supervising officer ever tell you that
9 overtime shifts might be available if Strike Force
10 officers impounded a higher number of vehicles?

11 A I apologize for laughing, but I kind of find these
12 questions comical. I'm sorry, but no, no.

13 Q I'm going to go ahead and bring up a document. It's
14 a document we've already looked at. This is an email
15 from Philip Serafini. We've seen this before. Can
16 you see that on my screen?

17 A Yes.

18 Q This is Exhibit 2. In it, we have an area where --
19 I'll point it out to you for a second. "DPC Lockwood
20 wants results with this increased Daytime Detail."
21 In the second paragraph right here, this first
22 sentence, do you see this? (Indicating.)

23 A Yes.